

OCT-11-2005 TUE 07:28 PM

FAX NO.

**RECEIVED
CENTRAL FAX CENTER**

P. 01

OCT 11 2005

P.O. Box 747
Falls Church, Virginia 22040-0747
Phone: (703) 205-8000
Fax: (703) 205-8050
(703) 698-8590 (GIV)

Birch, Stewart, Kolasch & Birch, LLP

Fax

| | | | | | |
|--------------------------------------------|--------------------|-------------------------------------|-----------------------------------------|---------------------------------------|-----------------------------------------|
| To: | USPTO - Group 2653 | From: | James T. Eller, Jr. (RJW/gf) | | |
| Fax: | 571-273-8300 | Date: | October 11, 2005 | | |
| Phone: | | Pages: | 42 (including cover sheet) | | |
| Your Ref.: | 09/664,364 | Our Ref.: | 3449-0131P | | |
| Re: | Response | CC: | | | |
| <input checked="" type="checkbox"/> Urgent | | <input type="checkbox"/> For Review | <input type="checkbox"/> Please Comment | <input type="checkbox"/> Please Reply | <input type="checkbox"/> Please Recycle |

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (703) 205-8000, and send the original transmission to us by return mail at the address above.

Comments:

RECEIVED
CENTRAL FAX CENTER

OCT 11 2005

| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. 3449-0131P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------|-----------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|-------------------------------------------|-----------------------------------------|-----------------------------------|------|--|--------------|----|--------|---|---|--|-----------------------|---|-------|---|---|--|--------------------------------------------------------------------------|--|--|--|--|--|-----------------------------|--|--|--|--|--|------------------------------------------|--|--|--|--|------|
| Application No. 09/664,364-Conf. #003941 | Filing Date September 18, 2000 | Examiner A. M. Psitos | Art Unit 2653 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Applicant(s): Jin-Tae ROH et al. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Invention: OPTIMAL RECORDING APPARATUS AND METHOD FOR OPTICAL RECORDING MEDIA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="6" style="text-align: center; padding: 2px;">CLAIMS AS AMENDED</th> </tr> <tr> <th></th> <th style="text-align: center;">Claims Remaining After Amendment</th> <th style="text-align: center;">Highest Number Previously Paid</th> <th style="text-align: center;">Number Extra Claims Present</th> <th style="text-align: center;">Rate</th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td style="text-align: center;">17</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">4</td> <td style="text-align: center;">- 6 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: center;">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> <td></td> </tr> <tr> <td colspan="5" style="text-align: center;">Other fee (please specify):</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: center;">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</td> <td style="text-align: right; vertical-align: bottom;">0.00</td> </tr> </tbody> </table> | | | | | CLAIMS AS AMENDED | | | | | | | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | | Total Claims | 17 | - 20 = | 0 | x | | Independent Claims | 4 | - 6 = | 0 | x | | Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | | Other fee (please specify): | | | | | | TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |
| CLAIMS AS AMENDED | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Claims | 17 | - 20 = | 0 | x | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims | 4 | - 6 = | 0 | x | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (please specify): | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p><input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity</p> <p><input checked="" type="checkbox"/> No additional fee is required for this amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Credit any overpayment.</p> <p><input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p><i>James T. Eller, Jr.</i> #10234</p> <p>James T. Eller, Jr. Attorney Reg. No.: 39,538</p> <p>BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Rd Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8000</p> | | | | | <p>Dated: <u>October 11, 2005</u></p> <p style="text-align: center;">Certificate of Transmission I hereby Certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office: On <u>10-11-05</u> <i>James T. Eller</i> Signature <i>Gill L. Prohner</i> Typed or printed name of person signing certificate</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

RECEIVED
CENTRAL FAX CENTER

OCT 11 2005

Docket No.: 3449-0131P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jin-Tae ROH et al.

Application No.: 09/664,364

Confirmation No.: 3941

Filed: September 18, 2000

Art Unit: 2653

For: OPTIMAL RECORDING APPARATUS AND
METHOD FOR OPTICAL RECORDING
MEDIA

Examiner: A. M. Psitos

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTIONMS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Examiner's Office Action dated July 8, 2005, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This Amendment consists of amendments to the Drawings, and Remarks.

Certificate of Transmission
I hereby Certify that this correspondence is being
facsimile transmitted to the Patent and
Trademark Office:

On 10-11-05

Paul J. Rohner
Signature
Paul J. Rohner
Typed or printed name of person signing certificate

JTE/RJW/adt

Birch, Stewart, Kolasch & Birch, LLP